

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS

1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, Fax: (916) 341-5431, www.waterboards.ca.gov/waterrights

INITIAL STATEMENT OF WATER DIVERSION AND USE

NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.

A separate statement must be filed for each point of diversion.

An (*) indicates a required section. Required sections must be completed for the Statement to be accepted.

*A. Claimant/Agent Information

Claimant/Owner: <u>NANCY + HAROLD BROOKS TRUST,</u>	Agent: <u>Ron Oneto</u>
<u>MLRO LLC, Elaine Oneto, John Oneto JR</u>	
Mailing Address <u>86301 AYR DR</u>	Mailing Address <u>7407 Greenfall Ct</u>
<u>EIK GROVE, CA</u>	<u>EIK GROVE, CA</u>
<u>95758</u>	<u>95758</u>
Phone No. <u>(916) 684-2900</u>	Phone No. <u>(916) 684-7979</u>
Fax No. <u>(916) 684-0690</u>	Fax No. <u>(916) 684-0690</u>
E-mail Address: <u>Roneto@aol.com</u>	E-mail Address: <u>Roneto@aol.com</u>

*B. Water is diverted and used under the claim of: Riparian claim ☒ Pre 1914 claim ☒ Court Decree No. _____
Other (explain): _____

*C. Name of the body of water at the point of diversion

Calaveras River

Tributary to Sacramento-San Joaquin Delta

*D. Point of diversion is located within San Joaquin County on Assessor's Parcel No. _____

being within the 1/4 of 1/4 of Section 18, of Township 02N, Range 07E, 1N B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.

See attached.

Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is _____ Related Water Right(s) _____

E. Do you own the land at the point of diversion? Yes ☒ No _____ If No, please provide the name and address of the land owner at the point of diversion: _____

*F. Capacity of diversion works Unknown (cfs, gpm, or gpd) Capacity of storage tanks or reservoir _____ (gallons or acre-feet)

Type of diversion facility: Gravity _____ Creek Pump ☒ Well Pump _____

Method of measurement: Weir _____ Flume _____ In line flow meter ☒ Electric Meter _____ Estimate ☒

NOTE: # Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.

#Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs _____, gpm Acres Feet or gpd _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2009	0	0	0	9.4	18.8	20.0	20.0	20.0	20.0	9.4	0	0

*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons ___ Million gallons ___ Acre-feet X

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2009	0	0	0	9.4	18.9	18.8	18.9	18.8	18.9	9.4	0	0	113.18

H. Annual water use in recent years: Maximum 120 (gallons or acre-feet) Minimum 110 (gallons or acre-feet)

State the year of first use at diversion site or storage facility _____

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) 49 acres cherries

*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.

See Attached in AP

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
 - a. Describe any water conservation efforts you have in place fully automatic sprinklers
Auto start/stop with electronic controlled valves
2. Water quality and wastewater reclamation
 - a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES ___ NO ___
3. Conjunctive use of surface water and groundwater
 - a. Are you using groundwater in lieu of surface water? YES ___ NO X

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

*DATE: June 28, 2010 at EIK Grove, California

*SIGNATURE: Ronald M. O'Neil

*PRINTED NAME: Ronald (first name) M (middle initial) ONEIL (last name)

COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

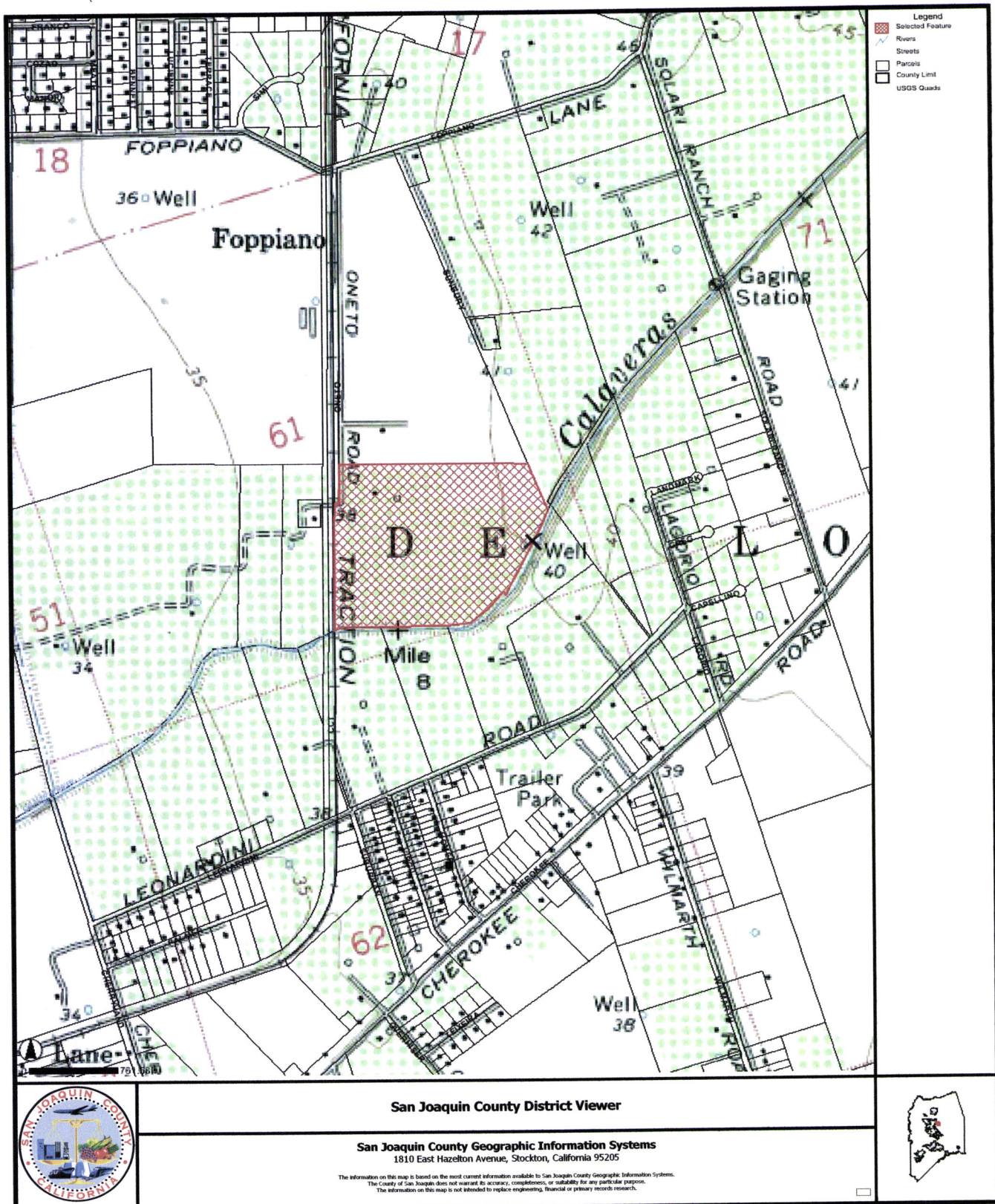
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.

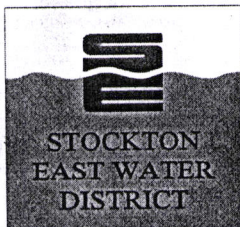


Long 121-14-5.62
LAT 38-0-52.93

S017164

2009 Final Bill

673



Stockton East Water District
6767 E. Main Street Stockton, CA 95215
P.O. Box 5157 Stockton, CA 95205
(209) 948-0333 Phone
(209) 948-0423 Fax
Website: www.sewd.net
E-mail: sewd@sewd.net

Account No.	08704021
Net Ag Acres	49.00
Billing Date	2/1/2010
Payment Due Upon Receipt	

Site: 5430 N ONETO RD
Pump ID: CR-82

BROOKS, NANCY M TR
6301 AYR DR
ELK GROVE CA 95758

Description	Qty	Unit	Unit Charge	Water Rights (%)	Extended Amount	Invoice Total
Domestic Unit Charge	1.000	Each	\$37.50		\$37.50	\$37.50
Cherries - Metered Surface Water	113.180	Acre Feet	\$20.00		\$2,263.60	\$2,263.60
10" Meter Charge - SW - After 01-01-9	1.000	Each	\$119.00		\$119.00	\$119.00
Payment					(\$1,320.20)	(\$1,320.20)

Meter Number	Beginning	Ending	Net
1	0.000	100.489	113.189

AMOUNT DUE \$1,099.90

3/14/10

113 35360

A PENALTY OF 5% WILL BE ASSESSED IF PAID AFTER 4/30/2010.

TABLE 2 - Statement of Non-Agricultural Irrigation Use

Single Family Residences	1.00	
Multiple Family Residences		
Commercial Buildings		

Water Meter Readings	Audited By
Ending 100.489	
Beginning 0	
Usage 113.189	
	Date

BROOKS, NANCY M TR

[Signature]

NANCY BROOKS
10-13-09

916-505-9208

[Signature]

Print Name and Sign

Date

Telephone Number

Email Address

NOT AN INVOICE

ENTERED FEB 11 2010